

IEW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Tilo Dittrich et al.
SERIAL No. : 10/737,278
FILED : December 16, 2003
FOR : EXPLOSION-OPERATED POWER TOOL
EXAMINER : Nathaniel C. Chukwurah GROUP: 3721

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ELECTION

Sir:

This is in response to the Office Action, dated February 4, 2005 and setting forth a one-month period for response (a request for a one-month extension of time is enclosed).

The Examiner requests that a single species be elected of the following, allegedly different species:

Species I: the embodiment of Figs. 1-6.

Species II: the embodiment of Fig. 7.

Specie III: the embodiment of Fig. 8.

Specie IV: the embodiment of Fig. 9.

Specie V the embodiment of Fig. 10.

Specie VI: the embodiment of Figs. 11 and 16.

Specie VII: the embodiment of Fig. 12.

Specie VIII: the embodiment of Fig. 13.

Specie IX: the embodiment of Fig. 14.

Species X: the embodiment of Fig. 15.

Applicants elect with traverse the embodiment of Figs. 1-6, species I for further prosecution on the merits. Claims 1-3, 5, 6, 8, 10, 11, and 13-22 read on the elected species.


TRAVERSE

The requirement for election with regard to embodiments of Figs. 8-16, species III through X is respectfully traversed. The embodiments of Figs. 8-16 disclose different constructions of the sealing sleeve for the power tool shown in Figs. 1-6 and are not believed to constitute different species. It is

believed that a prior-art search for the power tool with a sealing sleeve and the seal itself would be co-extensive. The search of prior art for a power tool with a sealing sleeve would necessarily involve a search for the sleeve itself, and the search for a sealing sleeve would necessarily involve a search for devices and apparatuses the sealing sleeve can be used in.

In view of the above it is respectfully requested that the requirement for election with regard to the embodiments of Figs. 8-16 be withdrawn, and an Office action related to all of the embodiments of Figs. 1-6 and 8-16, species I and III-X be issued.

Respectfully submitted,




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March 8, 2005

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on March 8, 2005.


 David Toren